AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1-7 (Withdrawn)

8 (Currently amended): A transgenic plant having a gene construct comprising a nucleic acid encoding a nitrogen assimilation/metabolism enzyme operably linked to a plant promoter so that the nitrogen assimilation/metabolism enzyme is ectopically overexpressed in the transgenic plant, and the transgenic plant exhibits:

i) faster rate of growth,

ii) greater fresh or dry weight at maturation,

iii) greater fruit or seed yield,

iv) greater total plant nitrogen content,

v) greater fruit or seed nitrogen content,

vi) greater free amino acid content in the whole plant,

vii) greater free amino acid content in the fruit or seed,

viii) greater protein content in seed or fruit, or

ix) greater protein content in a vegetative tissue,

than a progenitor plant which does not contain the gene construct, when the transgenic plant and the progenitor plant are cultivated under identical nitrogen non-limiting growth conditions, wherein the nitrogen assimilation/metabolism enzyme is ~~aspartate aminotransferase,~~ glutamate 2-oxoglutarate aminotransferase~~, glutamate dehydrogenase, or asparaginase~~.

9 (Previously amended): The transgenic plant of claim 8, wherein the plant promoter is a strong, constitutively expressed plant promoter.

10 (Original): The transgenic plant of claim 9, wherein the plant promoter is CaMV 35S promoter.

11-13 (Canceled)

14 (Previously amended): A seed of the transgenic plant of any one of claims 8, 9, or 10, wherein the seed has the gene construct.

15 (Previously amended): A progeny, clone, cell line or cell of the transgenic plant of any one claims 8, 9, or 10, wherein said progeny, clone, cell line or cell has the gene construct.

16-20 (Withdrawn)

21 (Previously added): The transgenic plant of claim 8, wherein the glutamate 2-oxoglutarate aminotransferase utilizes ferredoxin as a reductant.

22 (Previously added): The transgenic plant of claim 21, wherein the gene construct comprises a plant glutamate 2-oxoglutarate aminotransferase gene.

23 (Previously added): The transgenic plant of claim 8, wherein the glutamate 2-oxoglutarate aminotransferase utilizes NADH as a reductant.

24 (Previously added): The transgenic plant of claim 23, wherein the the gene construct comprises a plant or *E. coli* glutamate 2-oxoglutarate aminotransferase gene.

25 (Previously added): The transgenic plant of claim 8, wherein the glutamate 2-oxoglutarate aminotransferase comprises a chimeric bifunctional enzyme comprising both ferredoxin and NADH glutamate 2-oxoglutarate aminotransferase activities.

26 (Previously amended): The transgenic plant of any one of claims 8, 9, 10, 21, 22, 23, or 24 wherein the transgenic and the progenitor plants thereof are selected from

the group consisting of *Arabidopsis*, maize, wheat, rice, soybean, tomato, tobacco, carrots, potato, sugar beets, sunflower, yam, rape seed, and petunia.